

FORM PTO1390  
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

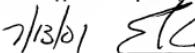
ATTORNEY'S DOCKET NUMBER  
030639.0027.US1

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. If known, see 37 CFR 1.5

**09/889330**

INTERNATIONAL APPLICATION NO. PCT/US00/00902	INTERNATIONAL FILING DATE 14 January 2000 (14.01.00)	PRIORITY DATE CLAIMED 14 January 1999 (14.01.99)
TITLE OF INVENTION NOVEL EXENDIN AGONIST FORMULATIONS AND METHODS OF ADMINISTRATION THEREOF		
APPLICANT(S) FOR DO/EO/US YOUNG, Andrew, L'ITALIEN, James J.; KOLTERMAN, Orville		
Applicant herewith submits to the United States Designate/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input type="checkbox"/> have not been made and will not be made.</li> </ol> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule I3ter.2 and 35 U.S.C. 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>		

U.S. APPLICATION NO. (if known, see 37 CFR 1.490) <b>09/889330</b>	INTERNATIONAL APPLICATION NO. PCT/US00/00902	ATTORNEY'S DOCKET NUMBER 030639.0027.US1	
21. <input checked="" type="checkbox"/> The following fees are submitted:		<b>CALCULATIONS PTO USE ONLY</b>	
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)):</b>			
Neither international preliminary fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO .....		\$1000.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....		\$860.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....		\$710.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(4) .....		\$690.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....		\$100.00	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 860.00	
		\$ 130.00	
CLAIM S	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	242 - 20 = 222	x \$18.00	\$ 3,996.00
Independent claims	14 - 3 = 11	x \$80.00	\$ 880.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$270.00	\$ 270.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>			\$ 6,136.00
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		+ \$ 3,068.00	
<b>SUBTOTAL =</b> \$ 3,068.00			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$	
<b>TOTAL NATIONAL FEE =</b> \$ 3,068.00			
Fee for recording the enclosed assignment (37 CFR 1.321(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$	
<b>TOTAL FEES ENCLOSED =</b> \$ 3,068.00			
		Amount to be refunded: \$	
		charged: \$	
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$3,068.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-1273</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>			
<p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p>			
SEND ALL CORRESPONDENCE TO:			
<p>Bradford J. Duff, Esq. Brobeck, Phleger &amp; Harrison LLP 12390 El Camino Real San Diego, California 92130</p> <p>7/13/01  SIGNATURE</p>			
<p>(858) 720-2500</p> <p>Edward O. Kreusser, Esq. NAME</p> <p>38,523 REGISTRATION NUMBER</p>			

09/889330

JC18 Rec'd PCT/PTO 13 JUL 2001

US NATIONAL APPLICATION

UNDER 35 U.S.C. 371

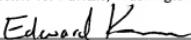
TITLE: NOVEL EXENDIN AGONIST FORMULATIONS AND METHODS OF ADMINISTRATION THEREOF

APPLICANT(S): YOUNG, Andrew; L'ITALIEN, James J.; KOLTERMAN, Orville

Correspondence Enclosed:

Transmittal Letter under 35 U.S.C. 371 (2 pgs); Preliminary Amendment (5pgs); Check in the amount of \$3,068.00; and Return Postcard

"EXPRESS MAIL" Mailing Label Number EL675945955US Date of Deposit July 13, 2001 I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

  
Edward O. Kreusser